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OFFICE OF PETITIONS

In re Application of
Walter C. Lin
Application No. 09/442,868
Filed: November 18, 1999
Attorney Docket No. 1200471-991180

ON PETITION

This is a decision on the "Renewed Petition Under 37 C.F.R. 1.181", filed July 3, 2003.

The petition under 37 CFR 1.181 is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper response to the non-final Office action, mailed September 13, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 14, 2001. A Notice of Abandonment was mailed on July 16, 2002. Applicant filed a petition in the alternative under 37 CFR 1.137(a) and 37 CFR 1.137(b) on July 31, 2002. The 37 CFR 1.137(a) petition was treated as a petition under 37 CFR 1.181, based on applicant's statement of non-receipt of an Office action, and was dismissed in a decision mailed on January 3, 2003. Applicant filed a renewed petition under 37 CFR 1.181 on February 6, 2003. However, this petition was dismissed in a decision mailed on May 19, 2003.

On renewed petition, petitioner has submitted a satisfactory copy of a docket record showing where the nonreceived Office action would have been entered had it been received and docketed. The docket report showed all replies that were docketed for December 13, 2001. Petitioner met the other requirements to establish non-receipt of the Office action in the petition filed on February 6, 2003.

In view thereof, the holding of abandonment is **WITHDRAWN**.

Given the basis for granting this petition, the \$1,280 petition fee previously submitted has been refunded to Deposit Account No. 07-1896.

The correspondence address of record for the instant application has been changed, as requested. Future correspondence concerning this application will be forwarded to the above address of record.

The application file is being forwarded to Technology Center 2600 for remailing of the September 13, 2001 Office action, setting a new period for reply.

Telephone inquiries should be directed to the undersigned at (703) 305-0272.

Cliff by

Cliff Congo
Petitions Attorney
Office of Petitions